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ELLA SILVEIRA,

NO. CIV. S-03-1349 LKK/GGH

Plaintiff,

13 || v.

ORDER

14 MERCY SAN JUAN HOSPITAL,
et al.,

Defendants.

17 On February 7, 2005, counsel for both plaintiff and

18 defendants were ordered to show cause why sanctions should not be
19 imposed for failing to file their pretrial statements. On the same
20 day, subsequent to the court's order being issued, plaintiff's
21 counsel filed a stipulation of dismissal. On February 16, 2005,
22 defendant's counsel responded to the court's order to show cause
23 by explaining that as early as September 22, 2004, the parties had
24 stipulated to dismiss the above-captioned case. Due to plaintiff's
25 counsel's delay, the stipulation was not filed with the court until
26 February 7, 2005, when both parties were ordered to show cause why

1 sanctions should not be imposed for failing to file their pretrial
2 statements.

3 Accordingly, counsel for plaintiff is sanctioned in the amount
4 of one hundred and fifty (\$150.00) dollars. This sum shall be paid
5 to the Clerk of the Court no later than thirty (30) days from the
6 effective date of this order. Counsel shall file an affidavit
7 accompanying the payment of this sanction which states that it is
8 paid personally by counsel, out of personal funds, and is not and
9 will not be billed, directly or indirectly, to the client or in any
10 way made the responsibility of the client as attorneys' fees or
11 costs.

12 IT IS SO ORDERED.

13 DATED: April 18, 2005.

14 /s/Lawrence K. Karlton
15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT

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